

RCE TFW

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|-------------|
| Application Number | 09/700,057 |
| Filing Date | 02/05/2001 |
| First Named Inventor | Colin Brown |
| Group Art Unit | 1623 |
| Examiner Name | E. White |
| Attorney Docket Number | 9052-67 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCE's (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____

i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

d. ☒ If necessary, the Director is hereby authorized to charge any deficiencies, or credit any overpayments, to Deposit Account No. 50-0220

Myers Bigel Sibley & Sajovec, P.A., P. O. Box 37428, Raleigh, North Carolina 27627,
Telephone: (919) 854-1400, Facsimile: (919) 854-1401, Customer No. 20792

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---------------------|-----------------------------------|------------|
| Name (Print/Type) | Shawna Cannon Lemon | Registration No. (Attorney/Agent) | 53,888 |
| Signature | | Date | 01/13/2005 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

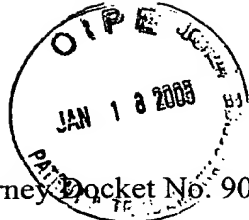
| | | | |
|-------------------|-------------------|------|------------|
| Name (Print/Type) | Susan E. Freedman | Date | 01/13/2005 |
| Signature | | Date | 01/13/2005 |

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Attorney Docket No. 9052-67

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Colin Brown
Serial No.: 09/700,057
Filed: February 5, 2001
For: *SURGICAL COMPOSITIONS AND METHODS FOR USING
THE SAME*

Confirmation No. 1282
Examiner: E. White
Art Unit: 1623

January 13, 2005

Mail Stop RCE
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

**AMENDMENT ACCOMPANYING
REQUEST FOR CONTINUED EXAMINATION**

Sir:

This Amendment Accompanying Request for Continued Examination is responsive to the final Office Action dated June 2, 2004, and the subsequent Advisory Action dated December 3, 2004. Applicant respectfully requests entry of this Amendment Accompanying Request for Continued Examination and allowance of the present application.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this document.

Remarks/Arguments begin on page 7 of this document.